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8 UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA
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11 JOSHUA MURPHY,

12 Petitioner,

13 v.

14 THE ATTORNEY GENERAL OF
15 CALIFORNIA,

16 Respondent.

No. 2:19-cv-02546 KJM GGH P

ORDER

17 Petitioner, a former state prisoner proceeding pro se, has filed this application for a writ of
18 habeas corpus pursuant to 28 U.S.C. § 2254. The matter was referred to a United States
19 Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

20 On September 15, 2020, the magistrate judge filed findings and recommendations, which
21 were served on all parties and which contained notice to all parties that any objections to the
22 findings and recommendations were to be filed within fourteen days. ECF No. 18. Those
23 findings and recommendations, if adopted, have the effect of mooted the findings and
24 recommendations filed on June 10, 2020. ECF No. 15. Petitioner has filed objections to the
25 findings and recommendations. ECF No. 19.

26 In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C) and Local Rule 304, this
27 court has conducted a *de novo* review of this case. Having carefully reviewed the entire file, the

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1 court finds the findings and recommendations to be supported by the record and by proper
2 analysis.

3 Accordingly, IT IS HEREBY ORDERED that:

4 1. The findings and recommendations filed September 15, 2020 (ECF No. 18), are
5 adopted in full;

6 2. Petitioner's Motion to Stay (ECF No. 16) is denied;

7 3. As a result, the findings and recommendations filed June 10, 2020 (ECF No. 15) are
8 moot;

9 3. Petitioner's federal habeas petition (ECF No. 1) is dismissed without prejudice for
10 failure to exhaust state remedies; and

11 4. This court declines to issue the certificate of appealability referenced in 28 U.S.C.
12 § 2253.

13 Dated: October 28, 2020.

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15 CHIEF UNITED STATES DISTRICT JUDGE
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